

PRESTON PARISH COUNCIL

Doc014 – Effective Management of Recording at Parish Council Meetings

Adopted July 2024

Chair: Margaret Trinder

Policy on Effective Management of Recording at Parish Council Meetings

The right to record, film and to broadcast meetings of the Parish Council is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

Preston Parish Council is committed to being open and transparent in the way it conducts its decision making. For the purpose of this policy the term “record” means any form of audio, visual or electronic recording. Such recording is permitted under the lawful direction of the Parish Council.

The Parish Council understands that some members of the public attending its meetings may not wish to be recorded and the Chairman of the meeting will facilitate this by ensuring that any such request will be respected by those making a recording. Any member of the public who does not wish to be recorded should make this known to the Clerk or the Chairman prior to the commencement of the meeting.

The rules that the Parish Council will apply are:

1. The Parish Council will display this policy which confirms the requirements as to filming, recording and broadcasting on its section of the village website:

<https://www.prestonvillageherts.com/key-organisations/preston-parish-council/>

and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

2. Any person wishing to record a meeting in any format whatsoever must contact the Clerk prior to the start of the meeting. The Clerk’s details are set out in the public notice and agenda of the meeting; in his/her absence, the contact will be the Chairman of the Parish Council.

3. The Parish Council will define an area from which recording may be carried out and, if given advance notice, will strive to ensure that reasonable facilities are made available to any person wishing to record, eg provision of a table. However the Parish Council should point out that the physical layout of a room may restrict the Parish Council’s ability to make any provision. Recording equipment will not be allowed on the Parish Council’s tables as these are required by Members for their papers.

4. The Parish Council prefers that all visual recording will be undertaken from a static point to avoid disruption at the meeting.

5. A person or persons recording the Parish Council meeting are reminded that the “Public Participation” period may not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make any recording during that period.

6. Where the press and public are excluded from a meeting or part of a meeting owing to the confidential nature of the business to be transacted, recording of that meeting or that part of the meeting will not be permitted.

7. Any children or young people under the age of 18 who are present at the meeting are not to be filmed unless their parents/guardians have given their written consent. This provision also applies to vulnerable adults, whereby the consent of a responsible adult is required for recording, ie a medical professional, carer or legal guardian.

8. All those recording a meeting are requested to focus only on recording councillors, those members of the public who have not requested anonymity or have not been identified as under the age of 18 or a vulnerable adult.

9 The Parish Council may, at its own discretion, require members of the public who do not consent to being recorded to sit separately from those who are content to be recorded.

10. All recording must be overt ie clearly visible to anyone at the meeting.

11. Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are allowed as long as this type of recording is carried out in a non-disruptive way and only to the extent that it does not interfere with any person's ability, even where he or she has a disability, to follow the debate.

12. A person or persons making a recording has no right to interrupt a Parish Council meeting by asking questions or making comments. The person recording has no right to ask councillors or any members of the public who have been given permission to contribute orally to the meeting to repeat a statement for the purposes of the recording.

13. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.

14. Persons who are recording must strive not to leave equipment unattended.

15. The recording and reporting on meetings of the Parish Council is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation. Freedom of speech within the law should also be exercised with personal and social responsibility – showing respect and tolerance towards the views of others.

16. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Parish Council's values or in a way that ridicules or shows a lack of respect for those in the recording. The Parish Council would expect any recording in breach of these rules to be removed from public view. The Parish Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

17. The Clerk should be contacted in advance of the meeting if the recording device being used involves equipment which is larger than a smart phone, tablet or compact camera or if the person recording has other special requirements eg to move around the room to record or film from different angles (note the council's preference for static recording). The use of lighting for filming/flash photography will usually be allowed if it is arranged via the Clerk prior to the meeting but the Parish Council will have regard to the impact of such lighting on the ability of others present to view the meeting, or for reasons of health, and may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting must not cause any other form of disruption.

18. The Parish Council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies. Where a Parish Council proposes to record its own meetings it will be bound by this policy.

19. The Clerk may decide to record meetings on her smartphone for the purpose of ensuring that the minutes are an accurate record of the meeting. Once the minutes have been approved and signed at the next meeting, the recording will be deleted. Should the Parish Council decide that it is appropriate to record a meeting for other reasons the recording will be kept for a year, then it will be disposed of. Members of the public will be informed of how to obtain copies of these recordings.

20. The Parish Council is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.

21. The minutes of a Parish Council meeting remain the statutory and legally binding formal record of Parish Council decisions.

Policy adopted: July 2024

This policy will be reviewed at the first meeting of the fiscal year when a new Parish Council takes up office. The Parish Council reserves the right to amend this policy sooner if it is deemed to be appropriate.